

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

A.P.I.E.S – Smt., Munawar Ameena, Junior Lecturer in Urdu, Government Junior College (G), Sanga Reddy, Medak Dist., - Appeal allowed – Orders – Issued.

HIGHER EDUCATION (IE.I) DEPARTMENT

G.O.Rt.No: 115

Dated:15.02.2013
Read the following:-

- Ref:-
1. From Special Secretary to CM Note. No.900/CMP-MM/2011, dated:30.11.2011
 2. From C.I.E., A.P., Hyderabad, Letter Rc.No.Ser.II-A-1/13639/2011, dated 07-03-2012.
 3. Proceedings of the RJDIE, Warangal Rc.No.573/C2/2007, dated:15.12.2010.

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ORDER:

Smt., Munawar Ameena, Junior Lecturer in Urdu, Government Junior College (G), Sanga Reddy, Medak District has made representation against removal from service by the Regional Joint Director, Warangal on the grounds of unauthorized absence.

2. The representation of the individual was examined with reference to the records of the Regional Joint Director of Intermediate Education, Warangal in Rc.No.573/C2/2007, Dt.15.12.2010 and Commissioner of Intermediate Education report vide reference 2nd read above it is stated that, the individual was absent from duties at Government Junior College (Grils) Medak from 02.06.2006 to 19.01.2007 and on 19.01.2007 she requested to permit her to join duty. The RJD, Warangal pending regularization of leave has issued orders reposting her at Government Junior College (Girls) Medak and initiated disciplinary action and frame charges against her.

3. Smt., Munawar Amena, was transferred from Government Junior College (Girls), Medak to Government Junior College [Girls], Sangareddy, Medak District, where she joined duty on 20.07.2007. and again from 21.07.2007 she absented from duty till 07.10.2010. i.e., for a period of 3 years on 08.10.2010. she requested to permit her join duty. The charge memo dt:09.08.2007 was not served to her.

4. After giving joining report on 07.10.2010 the charge memo was served to her. The individual has submitted explanation for the charges framed and submitted medical certificate in support of her case as the explanation was not satisfactory RJD, Warangal has appointed DVEO, Medak as Enquiry Officer under Rule 20 of CCA Rules.

5. The scope of the DVEO, Medak enquiry is confined to the charges framed against the individual in RJD, Proceedings Rc.No.573/C2/2007, dt:09.08.2007 for the unauthorized absence period from 02.06.2006 to 19.07.2007. The Enquiry officer in his enquiry report has covered the period from 02.06.2006 to 19.07.2007 and made certain observations about the second spell of absence period i.e., from 21.07.2007 to 07.10.2010. which is not relevant.

6. The Enquiry officer in her findings has stated that the charges are held proved, However, keeping her health conditions the Enquiry officer has recommended to consider case sympathically.

7. The evidence submitted by the individual during the enquiry i.e., medical certificate substantiate her ill health during the period to which charges relate i.e., 02.06.2006 to 19.01.2007 i.e., 7 Months period.

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8. The record of Regional Joint Director of Intermediate Education, Warangal also reveals that no charges has been framed against the individual for the absence period from 21.07.2007 to 07.10.2010 and no disciplinary action was initiated, as charges are relates to the specific period from 02.06.2006 to 17.07.2007. therefore action can be taken only on those charges. However, RJDIE, Warangal has issued show cause notice dt:21.02.2011 covering the absence period of the individual from 02.06.2006 to 19.01.2007 and also period not covered by any charges i.e., from 21.07.2007 to 07.10.2010 and action was taken by RJD, Warangal Lr. Rc.No.573/C2/2007, dt:09.08.2007 to remove her from service.

9. In the above circumstances, imposition of punishment of removal from service by the Regional Joint Director of Intermediate Education, Warangal for unauthorized absence of the individual for a period of 2.6.2006 to 19.1.2007 on medical grounds which is not willful and intentional is disproportionate, hence removal from service is set aside.

10. The Commissioner of Intermediate Education, A.P., Hyderabad is therefore directed take further action as per provisions of law.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Intermediate Education, A.P., Hyderabad.

The Individual through the Commissioner of Intermediate Education, A.P., Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

The Pay and Accounts Officer, Andhra Pradesh, Hyderabad.

The Regional Joint Director of Intermediate Education, Warangal.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER